



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Brown, *et al.*

Appl. No.: 09/994,078

Filed: November 26, 2001

For: **Novel Opioid Peptides for the Treatment
of Pain**

Group Art Unit: 1631

Examiner: M. Borin

Atty. Dkt. 7568/73384
(Formerly P282437)

Response to Restriction Requirement

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action dated July 24, 2003, in which the Examiner imposed a restriction requirement on the above-captioned application, Applicants hereby elect the inventions of Group I. This includes claims 1-29 and 51-54, directed to peptides and their compositions. It is respectfully requested that claims in non-elected restriction group II, *i.e.*, claims 30-50 and 55-58 be cancelled without prejudice.

With respect to the species election requirement, Applicants hereby elect the peptide having the sequence: H-Tyr-D-Arg-Phe-Phe-NH₂. This peptide is encompassed by claims 1-15, 17-29, 51 and 54.

This election is made without traverse.

Applicants do not believe that any fees, other than those that may be already provided

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If the Examiner believes that a phone call may help to expedite this matter, the Examiner is invited to call Applicants' undersigned attorney at (202)419-7013.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

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